

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CLAUDE OWEN WILSON,)
)
Plaintiff,)
)
v.) Civil Action No. 3:19CV913-HEH
)
J. BRECKON,)
)
Defendants.)

MEMORANDUM OPINION
(Dismissing 42 U.S.C. § 1983 Action)

Claude Owen Wilson, a Virginia inmate proceeding *pro se* and *in forma pauperis*, filed this action. The matter is before the Court for evaluation pursuant to 28 U.S.C. § 1915A and the Court's inherent authority to dismiss frivolous and abusive action. For the reasons set forth below, the action will be dismissed as frivolous.

I. PRELIMINARY REVIEW

Pursuant to the Prison Litigation Reform Act (“PLRA”), this Court must dismiss any action filed by a prisoner if the Court determines the action “is frivolous, malicious, or fails to state a claim on which relief may be granted.” 28 U.S.C. § 1915A(b)(1). The first standard includes claims based upon “an indisputably meritless legal theory,” or claims where the “factual contentions are clearly baseless.” *Clay v. Yates*, 809 F. Supp. 417, 427 (E.D. Va. 1992) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327 (1989)).

II. WILSON'S COMPLAINT

Wilson styled his complaint as a “Complaint for Interpleader and Declaratory Relief Injunction.” (ECF No. 1, at 1.)¹ Wilson describes himself as “‘the secured party creditor’ & trustee’ is the sentient live being as distinguished from an artificial entity, juristic corporation” (*Id.*) Wilson goes on to “request that the spelling of the Claimant/Plaintiff’s name be spelled exactly as [he] drafted it to the Court if it’s in fact addressing the ‘flesh-and-blood, living breathing man,’ not the ‘juristic person’ trust.” (*Id.* at 2.) Wilson describes the defendant as an “unauthorized bailee” of the Williamsburg City/James City County Circuit Court, who he describes as “lien debtors.” (*Id.*)

Thereafter, Wilson provides a multi-page, near unintelligible “Statement of Facts.” (*Id.* at 2–5.) From what the Court can discern, Wilson contends that he fought his criminal charges by filing various documents against the officials of the Commonwealth of Virginia, including a “Conditional Acceptance for Value,” an “Affidavit of Truth,” a “Legal Notice and Demand,” a “Common Law Copy Right Notice,” a “Hold Harmless Indemnity Agreement,” and a “U.C.C. Financing Statement.” (*Id.* at 4.) Wilson contends that because none of the officials responded appropriately to his documents, they confessed judgment and he “has a secured interest for the \$150,0000,000.00 . . . against

¹ The Court utilizes the pagination assigned by the CM/ECF docketing system to Wilson’s Complaint. The Court corrects the capitalization and punctuation in the quotations from Wilson’s submissions.

the municipality of Williamsburg City/James City County as settlement and closure” for Wilson’s criminal case.” (*Id.* at 5.)

In the next section titled, “Legal Argument/Claim for Relief,” Wilson requests “that his Court issue a mandatory injunction, ordering the custodian to immediately cease and desist with any use of the Claimant’s copyrighted/trademark property, ‘CLAUDE OWEN WILSON’ including any derivatives of spelling” (*Id.* at 5.) Wilson also demands his release and millions of dollars in damages. (*Id.* at 8.)

III. ANALYSIS

It is both unnecessary and inappropriate to engage in an extended discussion of the utter lack of merit of Wilson’s action. *See Cochran v. Morris*, 73 F.3d 1310, 1315 (4th Cir. 1996) (emphasizing that “abbreviated treatment” is consistent with Congress’s vision for the disposition of frivolous or “insubstantial claims” (citing *Neitzke v. Williams*, 490 U.S. 319, 324 (1989)). Wilson’s suggestion that the Court should order his release appears to emanate from Redemptionist theory,² which the courts have universally

² Redemptionists contend that in 1933 the United States went bankrupt upon leaving the gold standard. *See Monroe v. Beard*, No. 05-04937, 2007 WL 2359833, at *2 (E.D. Pa. Aug. 16, 2007); *Bryant v. Wash. Mut. Bank*, 524 F. Supp. 2d 753, 758-59 (W.D. Va. 2007), *aff’d*, 282 F. App’x 260 (4th Cir. 2008). In order to satisfy its debts, the United States leverages its citizenry as collateral, using birth certificates and Social Security numbers to create a contract with the incoming populace. *Monroe*, 2007 WL 2359833, at *2. These documents have the effect of creating a dual personality within each person that consists of a real person and a “strawman,” the fictitious corporate entity created by the United States. *Id.*

Those who subscribe to Redemptionism claim that the United States only has jurisdiction on the strawman, not the flesh-and-blood human. Additionally, when each United States citizen is born, an “exemption account” is created for each person, a virtually bottomless well of money identified by the person’s Social Security number. *Id.* At the heart of Redemptionist theory lies the belief that, by filing certain financial documents, citizens can “redeem” themselves and acquire an interest in the fictional person created by the government, and, consequently, the profits derived from the strawman’s use. *Id.*; *see Monroe v. Beard*, 536 F.3d 198, 203 n.4 (3d Cir. 2008).

rejected as having no basis in the law. *See Tirado v. New Jersey*, No. 10-3408 (JAP), 2011 WL 1256624, at *4-5 (D.N.J. Mar. 28, 2011) (concluding inmate's Redemptionist argument had "no legal basis"); *McLaughlin v. CitiMortgage, Inc.*, 726 F. Supp. 2d 201, 209 n.8 (D. Conn. 2010); *Bryant*, 524 F. Supp. 2d at 760 (referring to arguments as "clearly nonsense"). Wilson's theory—that he can compel his release by simply filing documents reciting frivolous legal theories—is no exception.³ *See Ferguson-El v. Virginia*, 3:10CV577, 2011 WL 3652327, at *3 (E.D. Va. Aug. 18, 2011) (declaring inmate's Redemptionist-based argument for his release "legally frivolous"). Accordingly, the action will be dismissed with prejudice as frivolous. Wilson's outstanding motions (ECF Nos. 6, 9, 12, 13) will be denied. The Clerk will be directed to note the disposition of the action for purposes of 28 U.S.C. § 1915(g).

An appropriate Order will accompany this Memorandum Opinion.



/s/
Henry E. Hudson
Senior United States District Judge

Date: Jun. 5, 2020
Richmond, Virginia

³ Wilson apparently adheres to the Redemptionist theory regarding the use of capital letters: Redemptionists claim that by a birth certificate, the government created strawmen out of its citizens. A person's name spelled in English, that is with initial capital letters and small letters, represents the real person, that is, the flesh and blood person. Whenever a person's name is written in total capitals, however, as it is on a birth certificate, the Redemptionists believe that only the strawman is referenced, and the flesh and blood person is not involved.

Ferguson-El v. Virginia, No. 3:10CV577, 2011 WL 3652327, at *3 (E.D. Va. Aug. 18, 2011) (quoting *McLaughlin v. CitiMortgage, Inc.*, 726 F. Supp. 2d 201, 210 (D. Conn. 2010)).